

Sponsor: J. Peters / Coll

ORDINANCE NO. 19-20

AN ORDINANCE REPEALING ORD. 33-12, AS CODIFIED AS SECTION 927.05 OF THE CITY OF JACKSON CODE OF ORDINANCES SO AS TO REMOVE THE 3% ANNUAL INCREASE OF THE CITY SEWER RATES AND TO INCORPORATE THE CURRENT SEWER RATES.

WHEREAS, Section 927.05 of the Codified Ordinances of the City of Jackson set the rates for sewer as of 2015 and included a 3% annual rate increase for each year thereafter; and

WHEREAS, the legislative authority of the City of Jackson has determined it appropriate to determine rate increases or decreases on an annual basis rather than an automatic increase so as to require the current Codified ordinance to be amended so as to show the current rates and to remove the 3% annual increase; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, OHIO THAT THE FOLLOWING BE AN ORDINANCE GOVERNING SEWER RATES AND THAT IT BE NUMBERED AS SECTION 927.05 AS REVISED WITH THE CURRENT RATES (NOT AN INCREASE) AS UNDERLINED AND WITH THE 2015 RATES AND ANNUAL INCREASE STRUCK THROUGH AND TO BE REPLACED IN REGULAR TEXT WITHIN THE JACKSON CITY CODE.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 8th day of June, 2020.



President of Council

ATTEST:

Cindi Kuhw
Clerk of the Legislative Authority

Approved this 8th day of June, 2020.



Mayor

EXHIBIT A

927.05 SEWER RATES.

(a) Definitions.

- (1) "User charge" means that charge assessed users of the sewage system to recover the cost of operations, maintenance and replacement of the sewage collection and sewage treatment system, and the cost of rendering bills and collecting sewer service charges.
- (2) "Operation and maintenance costs" means the cost incurred in the act of keeping all facilities for collecting, pumping, treating and disposing of sewage, in a good state of repair and functioning properly, including the replacement of such facilities when necessary.
- (3) "Replacement" means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
- (4) "Debt service" means the funds used for the retirement of and interest on bonds and/or notes authorized and issued by the City to construct sewage system facilities.
- (5) "Sewer service charge" means the total charge levied against users of the sewage system for sewer service. The charge shall include user charges plus the cost of debt service.
- (6) "Commercial user" means any user of the sewage systems not specifically categorized as residential or industrial, and generally classified in the Standard Industrial Classification (SIC) Manual in Division F – Wholesale Trade; Division G – Retail Trade; Division H – Finance, Insurance and Real Estate; portion of Division I – Services; and Division J – Public Administration.
- (7) "Industrial user" means any nongovernmental user of the publicly owned treatment works identified in the SIC Manual of the U.S. Office of Management and Budget, as amended and supplemented, under the following division: Division A – Agriculture, Forestry and Fishing; Division B – Mining; Division D – Manufacturing; Division E – Transportation, Communication, Electric, Gas and Sanitary Service; and Division I – Services. A user in the divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic waste or wastes from sanitary conveniences.
- (8) "Residential user" means any user discharging domestic wastes from the buildings or premises that are used as a permanent place for human occupancy such as a single-family dwellings,

rowhouses, townhouses, mobile homes, garden and standard apartments and high rise apartments. Transient lodging, considered commercial in nature, is not included.

- (9) "Institutional user" means any user discharging domestic waste from buildings or premises that are used as and for social, charitable, religious, and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.
- (10) "Governmental user" means any user discharging domestic wastes from buildings or premises that are used as and for legislative, judicial, administrative and regulatory activities of federal, state and local governments.

(b) Sewer Service Charges. The following are hereby fixed as the fair, proportional and reasonable rates for sewer service charges and user charges based upon the metered consumption of water. All users discharging waste to the sewage collection system shall be billed for wastewater treatment services including governmental or institutional users such as schools, municipal utilities or other public buildings.

(1) Minimum Bill :

<u>METER CODE</u>	<u>METER SIZE</u>	<u>TOTAL MINIMUM</u>
1	5/8"	<u>\$12.48</u>
2	3/4"	<u>\$16.69</u>
3	1"	<u>\$25.05</u>
4	1.5"	<u>\$45.87</u>
5	2"	<u>\$70.87</u>
6	3" TURBINE	<u>\$150.05</u>
7	4" COMPOUND	<u>\$212.51</u>
12	4" TURBINE	<u>\$254.21</u>
8	6" COMPOUND	<u>\$420.91</u>
10	10"	<u>\$718.96</u>

(2) COMMODITY CHARGES (AS OF 10/1/2012, AND FORWARD):

FIRST 1,000,000 GALLONS PER MONTH:

TOTAL

/1000 GAL. \$13.52

OVER 1,000,000 GALLONS PER MONTH:

TOTAL

/1000 GAL. \$8.03

~~THE FOREGOING RATES ARE SUBJECT TO A THREE PERCENT (3%) INCREASE, TO BE INSTITUTED JANUARY 1ST OF EACH YEAR AFTER 2016; IN THE EVENT THE INCREASE IS NOT NEEDED, IT MAY BE WAIVED.~~

- (3) Annual review of charges. The sewer service charge and user charges shall be reviewed annually by the City in order to determine whether or not they are sufficient to defray the fixed charges, amortization costs, and annual cost of operation and maintenance of the sewage system. If the difference between the total revenue derived and the total annual cost is sufficient to justify an increase or decrease in the sewer service charge or user charges, the City will adjust the rate as required.

Every other year, grantees must review the wastewater contribution of users, total OM & R costs and the adequacy of user charges.

Each user shall be notified as least annually, in conjunction with a regular bill, of the rate and that portion of the sewer service charge which is attributable to operation, maintenance and replacement costs of wastewater treatment services.

- (4) Late payment charges. Payment of bills are due on the date listed on said bill. In the event the due date is on a weekend or holiday recognized by the City, then the due date shall be o the next business day.

A delinquent charge of ten percent (10%) of the total amount of a sewer charge shall be added to the charges hereinabove set forth if such amount is not paid on or before the due date of such bill.

(c)

Surcharges.

- (1) The following terms, as used in this subsection shall have the meanings ascribed to them as shown:

- A. "Normal sewage" means sewage which, when analyzed shows, by weight, a daily average of not more than 350 parts per million of suspended solids, and not more than 300 parts per million of biochemical oxygen demand (BOD).
- B. "Suspended solids" means solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

C. "BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter, under standard laboratory procedure, in five days at twenty degrees Centigrade, expressed in parts per million by weight.

(2) Sewage or industrial wastes above normal sewage strength, but acceptable for discharge into the sanitary sewage system, shall be subject to a surcharge. The surcharge shall be determined on the basis of either or both of two constituents of water or wastes:

A. ~~Total suspended solids, and/or~~

B. Five-day BOD at twenty degrees Centigrade and as herein provided.

(3) When either or both the total suspended solids (referred to as "TSS") and the BOD of a water or waste accepted for admission to the system exceeds the values of their constituents for normal sewage, the excess concentration in either or both, as the case may be, shall be subject to a daily surcharge as follows:

POUNDS
OF TSS \$0.392

POUNDS
OF BOD \$0.325

(4) In addition to the surcharge the user will pay the user charges as defined in subsection (b) hereof. The pounds of BOD per day and/or pounds of suspended solids per day, above the concentrations previously described for normal strength sewage that are discharged to the sewage system, shall be determined by the City or its authorized representative.

In addition to a surcharge on BOD and suspended solids, the City shall have the right to surcharge any user for the discharge of any other pollutant into the sewage system or for any other reason that it deems necessary and appropriate, such as excessively high rate of discharge.